


JOE REECE CALLICUTT, JR.,  
Plaintiff,  
v.  
ALLIENE CALLICUTT,  
Defendant.

On June 21, 2016, Joe Reece Callicutt, Jr. filed a complaint [D.E. 1] against Alliene Callicutt. Plaintiff states that he is a resident of Star, North Carolina. [D.E. 1] 5. Star, North Carolina is in Montgomery County, which is in the Middle District of North Carolina. See 28 U.S.C. § 113(b). Plaintiff alleges that certain torts took place in Montgomery County, North Carolina. [D.E. 1-1] 2-10. On July 18, 2016, defendant filed an answer. [D.E. 11]. Defendant is also a resident of Montgomery County, North Carolina. [D.E. 11] 1.

Venue is not proper in this court. See 28 U.S.C. § 1391(b). More fundamentally, this court lacks subject-matter jurisdiction because plaintiff and defendant are each citizens of North Carolina. See 28 U.S.C. § 1332(a)(1)

The action is DISMISSED for lack of subject-matter jurisdiction. If plaintiff wants relief against defendant, he must file suit in state court.

  
JAMES C. DEVER III  
Chief United States District Court